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REQUEST FOR THE INCLUSION OF AN ADDITIONAL ITEM IN THE AGENDA OF THE FORTY-NINTH SESSION

QUESTION OF CRITERIA FOR THE GRANTING OF OBSERVER STATUS IN THE GENERAL ASSEMBLY

Letter dated 19 September 1994 from the Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General

In accordance with rule 15 of the rules of procedure of the General Assembly, I have the honour to request the inclusion in the agenda of the forty-ninth session of the General Assembly of an additional item of an urgent and important character entitled "Question of criteria for the granting of observer status in the General Assembly".

In accordance with rule 20 of the rules of procedure of the General Assembly, an explanatory memorandum is attached to the present letter.

(Signed) Madeleine K. ALBRIGHT
Permanent Representative of
the United States of America
to the United Nations

ANNEX

Explanatory memorandum

The proposed item reflects a perceived need to address the question of the criteria for the granting of observer status in the United Nations General Assembly.

The status of those invited to participate in the work of the General Assembly as observers has for the most part been conferred on intergovernmental organizations. Non-governmental organizations are accredited as observers to the Economic and Social Council in accordance with Council resolution 1296 (XLIV) of 23 May 1968.

In 1990, the General Assembly recognized that special treatment was appropriate for the International Committee of the Red Cross (ICRC) in the light of the specific responsibilities conferred on the ICRC by extremely widely ratified multilateral conventions.

It was clearly stated at the time observer status was proposed for the ICRC that the grant of such status was a function of the unique situation of the ICRC and should not constitute a precedent for the granting of observer status to any other entity of a non-governmental character. It was on that understanding that many States supported the proposal.

Subsequent recent decisions and current requests concerning observer status in the General Assembly risk casting doubt on the well established basic approach of limiting General Assembly observer status to non-member States and intergovernmental organizations.

There is a substantial risk that if the General Assembly continues to depart from the established criteria, there will be no basis for distinguishing between those organizations entitled to General Assembly observer status and those not. There are many organizations that can assert "a special role in international humanitarian relations". Indeed, if we are to include non-governmental organizations with a particular interest in humanitarian relations, would there be any basis for not including other non-governmental organizations in other fields such as, but not limited to, environmental matters? If that is to be the criteria, there may be little basis for avoiding so dramatic an expansion of the number of requests for such status that the General Assembly will either have its work impaired or will have to consider drastic curtailment of the privileges that flow from the possession of observer status. At the least, these concerns merit serious consideration before any action is taken further prejudicing existing criteria.

We consequently believe that consideration should be given to the question of criteria for granting of such status before any further decisions are taken which could prejudice the question.

The Sixth (legal) Committee is in our view the most appropriate forum to consider the question of elaborating criteria for the granting of observer

status. We believe that the Sixth Committee should consider establishing a working group to consider these issues.

In order to avoid further prejudicing the situation before consideration of the question of criteria, it is recommended that the item entitled "Observer Status for the International Federation of Red Cross and Red Crescent Societies in the General Assembly" be allocated to the Sixth (legal) Committee as well.